

REMARKS

A. INTRODUCTION

This supplemental reply is being filed after our Response (filed April 6, 2007) to an Office Action mailed March 6, 2006. We request that the accompanying Amendment be entered as it adopts suggestions of the Examiner provided during a Telephone Interview held June 18, 2007.

Claims 1-44, 46-50, and 56-70 are pending and rejected.

Upon entry of this Amendment:

- Claims 1-44, 46-50, 56-62, and 71-80 will be pending
- Claims 1, 24, 50, 61, and 62 will be amended
- Claims 63 and 64 will be canceled
- Claims 71-80 will be added
- Claims 1, 56, 61, 62, 71, 72, and 75-80 will be the only independent claims

B. TELEPHONE INTERVIEW

Applicants are grateful for the Examiner's courtesy in participating in a Telephone Interview on June 18, 2007 with Applicants' representative.

During the Telephone Interview, potential amendments were discussed and Examiner suggested that Applicants amend the claims as generally provided for in this Amendment. Although no formal agreement was reached, Applicants are grateful to the Examiner for taking the time to discuss the subject matter of this Application and to suggest potential amendments.

If the Examiner has any questions about the Amendments being presented with this Supplemental Reply in light of the Telephone Interview, the Examiner is encouraged to contact Mike Downs at (203) 461-7292, at the Examiner's convenience.

C. PRESENT REJECTIONS

As discussed below, Applicants request entry of this Amendment in light of the Telephone Interview with the Examiner. Nonetheless, we respectfully maintain our traverse of all of the present Section 103(a) rejections for at least the reasons discussed in the Response filed April 6, 2007. We intend to pursue subject matter as it was previously claimed in this application (and/or other subject matter that might not yet have been claimed) in one or more continuing applications.

D. CLAIM AMENDMENTS

No new matter has been added by any Amendment.

1. Claims 56-60 and 73-76

As discussed with the Examiner, independent Claim 56 has been amended to provide for *in which none of the at least one item requires a service agreement for its use; in which the offer is selected from a database including a plurality of offers; and in which the selected offer is provided before the at least one item is purchased but only after receiving the indication of the at least one item that the customer is ready to purchase from the merchant, whereby the selected offer is not provided to the customer unless and until the indication is received.* For some examples of support, please see Specification, page 4, lines 1-3; page 6, lines 13-15. Applicants submit that no combination of the cited references provides for the recited combination of features, nor do the cited references evidence an apparent reason to provide for that specific combination.

New dependent Claims 73 and 74 depend from independent Claim 56 and recite additional features previously recited respectively in Claims 63 and 64, now canceled.

New Claims 75 and 76 are independent claims and are directed to a computer readable medium and an apparatus, respectively, that by reference allow for the functionality recited in the method of Claim 56. Accordingly, Applicants submit that independent Claims 56, 75, and 76 (and dependent Claims 57-60, 73 and 74) contain allowable subject matter.

2. Claims 1-44, 46-50, 71, and 72

Similarly, independent Claim 1 has been amended to recite *in which none of the at least one item requires a service agreement for its use; selecting, by a computing device, a second merchant from a plurality of merchants; and in which the offer is not provided unless and until the indication of the at least one item that the customer is to purchase from the first merchant is received.* Applicants submit that no combination of the cited references provides for the recited combination of features, nor do the cited references evidence an apparent reason to provide for that specific combination.

New Claims 71 and 72 are independent claims and are directed to a computer readable medium and an apparatus, respectively, that by reference allow for the functionality recited in the method of Claim 1.

Claim 24 has been amended to clarify a desirable embodiment.

Claim 50 has been amended to correct an inadvertent error in dependency; it now correctly depends directly from Claim 49.

Accordingly, Applicants submit that independent Claims 1, 71, and 72 (and dependent Claims 2-44 and 46-50) contain allowable subject matter.

3. Claim 61, 66-70, 77, and 78

Similarly, independent Claim 61 has been amended to recite *in which the purchase does not include any item that requires a service agreement for its use; and providing an offer for the subsidy from the second merchant, the step of providing the offer being performed before the purchase is consummated but only after receiving the indication that the customer is willing to make a purchase from the first merchant, whereby the offer is not provided unless and until the indication is received*. Applicants submit that no combination of the cited references provides for the recited combination of features, nor do the cited references evidence an apparent reason to provide for that specific combination.

New Claims 77 and 78 are independent claims and are directed to a computer readable medium and an apparatus, respectively, that by reference allow for the functionality recited in the method of Claim 61. Accordingly, Applicants submit that independent Claims 61, 77, and 78 (and dependent Claims 66-70) contain allowable subject matter.

4. Claims 62, 79, and 80

Similarly, independent Claim 62 has been amended to recite *in which the purchase does not include any item that requires a service agreement for its use; after activating the button, receiving a signal that the customer has clicked the button; and providing, in response to the received signal, an offer for a subsidy from the second merchant, the step of providing the offer being performed before the purchase is consummated but only after receiving the signal that the customer has clicked the button, whereby the offer is not provided unless and until the signal is received*. Applicants submit that no combination of the cited references provides for the recited combination of features, nor do the cited references evidence an apparent reason to provide for that specific combination.

New Claims 79 and 80 are independent claims and are directed to a computer readable medium and an apparatus, respectively, that by reference allow for the functionality recited in the method of Claim 62. Accordingly, Applicants submit that independent Claims 62, 79, and 80 contain allowable subject matter.

E. AUTHORIZATION TO CHARGE APPROPRIATE FEES

We do not believe that any additional fees are due for this supplemental reply. However, please grant a petition for any extension of time required to make this Response timely.

Deposit Account: 50-0271

Order No.: 98-109

Please charge any appropriate fees set forth in 37 C.F.R. §§ 1.16 – 1.18 for this paper and for any accompanying papers to Deposit Account 50-0271. Please credit any overpayment to the same account.

F. CONCLUSION

It is submitted that all of the claims are in condition for allowance. The Examiner's re-examination and reconsideration are respectfully requested.

If the Examiner has any questions regarding this amendment or the present application, the Examiner is cordially requested to contact Michael Downs at telephone number (203) 461-7292 or via electronic mail at mdowns@walkerdigital.com.

Respectfully submitted,

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Date

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